App. F. IX—4

Previous References.

1957.
(DST)

File No. AFD 25) DST 57)

Serial Nos. (1)

Later References.

Forest

MYSORE GOVERNMENT SECRETARIAT

9/11/57
~~12/6/57~~
26/6/57

Serial Nos. one

Part B for Oct, 57)

SUBJECT

Grant of forest land for residential purpose

Appln. from Sri S. G. Naik, Resident of Holakuli, Honavar taluka

WD 0142—GPB—50,000—10-6-57

Kondappa
13/12/57

A
1.11.04

ಎಚ್. ನಾರಾಯಣಸ್ವಾಮಿ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

K

(Class A)

DOCKET SHEET

3

Subject:—

Forest land.

Grant of

for residential purpose

(Appln. from Shri S.G. Naik.)

File No. FLD 125 / 6229 / 30924 / 32770 (58)

Agre. 88 Forests DEPT.

BRANCH.

References:— Receipt of printed copies of Notification is awaited.

Entered

The papers may may be transferred to the Government of Mysore.

for R. Swamy

Superintendent G.Br.

Date.	To whom sent.	Notes and instructions.
		257
27.7.54	GDC	Pl. issue letter (P.29/c) and await till 20.8.54
5-10-54	GDC	Pl. issue expdtr. and return ISSUED ON 6/10
9/10/54		Pl. issue 9/11/54
16/11/54		Pl. issue expdtr & await till 16/1/55
20/1/55	G.D.C.	Pl. issue exp. letter at p29/c and put up on. 16th Feb: 1955.
9/4/55	" 2/1/55	Pl. issue expditr. & awt. upto 9/5/55 ISSUED 21/4
5/5	"	Pl. await till 25/5
27/5	GDC	Pl. issue expdtr & awt. till 25/8/55
		Pl. await till
		Issue & await
31/1		15/1/56
		Pl. issue

Date.	To whom sent.	Notes and instructions.
9/4/56	DS (with copy)	Pl. pass on to F.D.
24/4	GDC	Pl. issue G.C. [illegible] with 3 [illegible]
26/4	"	Pl. await till 26/6
10/5	"	do
26/6/56	Peggy	Pl. issue expdt. & await till 26/7/56 ISSUED 8/29/6
26/7	"	Pl. award till 26/8/56
24/8/56	" ISSUED 25/8	Pl. issue expdt. & await till 28/9/56.
10/9/56	GDC (with accomp.)	Pl. issue Holiday, letter and edit and return
15/9	"	Pl. await till 12/10/56

FORM FOR FILES IN BRANCHES.

Agriculture and Forests Department.

(4)

E Branch.

File No. FLD 1255 | 6229 30943 32770 40461 Year. 1956

Subject :- Grant of forest land for residential purpose. App from Shri S G Naik of Hosakeli Tal Honavar

1. The file mentioned above has been carefully examined.

2. According to classification it falls under 'A'/~~'B'~~/~~'C'~~/~~'D'~~ class.

3. It pertains exclusively to ~~Maharashtra~~/~~Gujerat~~ / Karnatak / ~~Bombay City~~.

- -

~~It is common for Maharashtra / Gujerat / Karnatak / Bombay City.~~

4. Remarks :-

i) Since the file is 'A' / ~~'B'~~ class and pertains exclusively to ~~Maharashtra~~ / ~~Gujerat~~ /Karnatak / ~~Bombay City~~ it may be sent to the Records Section, Agriculture and Forests Department, for inclusion in the list pertaining to the region concerned,

ii) Since the file is 'A'/'B' class and is common for Maharashtra / Gujerat / Karnatak / Bombay City Copies of pages of Noting Section and Copies of pages of correspondence section may be typed and separate copies for each region prepared.

iii) As pages of the file consist of Cyclostyled / Printed copies of Government Resolutions / Government Circulars etc. and copies thereof are available in the Branch, they need not be typed. Cyclostyled/Printed copies of the relevant pages are sent herewith.

iv) Since the file is 'C'/'D' class it may be sent to the Records Section, Agriculture and Forests

P.T.O.

(5)

for
Department being included in the list
of files under that class.

v) Instructions for typists :-

vi) Instructions for examiners :-

vii) Any other instructions.

A.A. Mishall. 11/6/56
Signature of Junior Assistant and date

~~Senior Assistant and date.~~

Signature of Superintendent and date.

Signature of the typists and date
in token of having typed the file.

Signature of the examiners and date
in token of having examined the file.

Lh.4.6.

A & F.D.

Sr. No. 30943.

P.O/c

Submitted with reference to Govt. endst., No. O/6229.J, dated the 2nd February '54.

2. Please see the letter from the Divisional Forest Officer, Kanara Western, at P.17/c. The disforestation proposals from the Collector of Kanara may be awaited till 1.7.54.

6/54

A.S. (Shri M.).

D.M. (A & F)
for information.

A similar case is under appeal to the BRT. & this Deptt. has forwarded its views to that body recently. Pl. put up those pp.

The case which A.S. has

in view is under ~~submission to~~ U.O.R. ~~to~~ the Revenue Department. ~~Government~~.

22/6/53

H.S. (Shri. N)

Pl. speak.

23/6

Pl. put up again as soon as the file becomes available.

24/6

NO. 8011-J (...) ... the O.D. 29/6/53.

A. & F.D.

Resubmitted with file NO. 8011-J as desired.

12/7/53

The present case is not quite similar to the case on file 8011-J.

Presumably the DM. (Tonks) had seen the site in the present case in Mar. 1954. In view of the DFO's report (p.17/c), the Coll. of Kanara may be asked to report the action taken in the matter.

13/7

A.S. (Shri M)

See p. 19/c for draft orders.

14/7 DM. (Fn) 14/7

Sr. No 327/70 3/IV AFD

Pl. see letter dt: 22-11-55 from the Collr. of Kanara which is self-explanatory. In view of the circumstances stated therein, the Collr. proposes to grant Forest-land measuring 1 acre to Shri S. G. Naik of Hosakuli for cultivation, subject to the terms and conditions mentioned in para 7 of his letter. The C.C.F. also agrees to the Collr's proposal. In the circumstances the Collr's proposal may be approved. Before, necy. orders are issued R.D. and F.D. may see files ks for concurrence.

REVENUE DEPARTMENT
File No.
-4 APR 1956
Serial No.

2/4/56

A.S. (Forts) 2/4/56

Ks to RD/FD 3/4/56

DM(AGR) after ks

7/4

R.D. P

Seen and passed on to F.D.

A.S. (I) 7/4/56 9.4.56

Now to FD dt 11/4 (with case pp)

FINANCE DEPARTMENT
File No. IV
11 APR 1956
Serial No. 18965

The AFD proposal may be agreed to.

AGRICULTURE & FOREST DEPT.
Date of Receipt 13 APR 1956
File No. FLD 125
Serial No. 38479

Shri P 13/4

FD 11.4.56

11-4-56

AS [F] 12

12/4

with case pp.

ks (7) 12/4

Now to the AFD dt 12.4.56

A&RD - E (9)

Submitted w/r to o.n. overleaf.

RD/RD having seen, the draft letter and endt at p 39/C (241-4/) may issue.

20/4

3/4/56

S.A.S.

Dm (A&R) 20/4

A&RD.
E

S.W. 92159.

Submitted w.r. to L.L. d. 24/4/56.

2 The appended draft Notification and letter and endt may now issue.

7/4/56.

S.A.S.

~~Draft~~ Notification reg disforestment of land has been published in the Gazette. Hence no further action is necessary. The papers may be filed.

26/6/56

To obtain a copy of the notification.

26/6/4

From,
Sannathamma Ganpa Naik,
Resident of Hosakuli village in Honavar taluka,

To,
Shri. K.F.Patil,
Deputy Minister for Forests & Agriculture,
Bombay.

Sub.:- Grant of a small plot of forest land for residential purpose.

Sir,

I am one of the poorest landless agriculturists ,residing at present in the aforesaid village.Once I held on nadgi tenure an acre of cocoanut garden But it was on the bank of the Sharawati river in Mavinkurve village of the same taluka . The land was subject to gradual diluvion by the river and the whole was lost to me with my residential house therein. This was about 10 years ago. Thereafter as a last resort, I went to my father-in-law's place in the abovesaid village. By his mediation, I secured on permanent lease about 14½ gunthas of waste land in S. No. 175/ of Hosakuli village. This survey no. ,measuring 4acres and 8gunthas is assessed for a land revenue of 7 annas only. I had agreed to pay a total rent for my aforesaid leasehold right at the rate of 2 annas per guntha. I state these small facts only to bring to your kind notice the poor quality of land ,now on lease to me. It is a low lying region by the side of a hillock and the whole of the rain water in the neighbouring land gets collected in this survey no. In spite of all these odds ,I took the land on permanent lease for want of other lands. After the lease , I built a small hut on this land for my residence. But I was forced to live a miserable life here owing to the unhygenic conditions of the land.

Next to this land is Survey no. 214 A1A,with an area of 112 acres . It is is a govt. waste forest land. But this is on a higher level. Hence it is a bit more comfortable than S.No. 175 for the residence.Out of helplessness, I desired to occupy about 5 gunthas only of this survey no. just for my residential hut and a court yard. About 7-8 years ago, I applied to the Collector of Kanara for the grant of this small plot after disforestment in the usual manner. Unfortunately for my poor status,the said application perhaps did not see any daylight in the collector's office. About a year after the application, I used and occupied about 5 gunthas area of this Govt. land out of sheer helplessness.

About 6-7years ago , I had built a small hut on this land for the purpose of residence of my family and also planted some fruit trees such as cashewnut, jack fruit etc. on the outer side of this small plot. I am tending well these fruit trees all these years.

My next misfortune came when in the middle of 1951 proceedings were instituted against me by the officials ofthe forest dept. to evict me from the said land after the demolition of the residential hut. In the said proceedings, I prayed for mercy and requested for a small plot to be granted to me for my residential use. All my prayers were negatived and an eviction order has been made final after my conviction in a criminal proceeding under the Forest Act for the alleged unauthorised use, to pay a fine of Rs.3/. Execution of the said eviction order is now pending before the mamlatdar,Honavar and in case mercy is not shown by you ,Sir, now I and my family will be homeless wanderers.

Under these compelling circumstances , I approach you with a humble request for mercy and the condonations of the wrongs done by me in the past against my will. As aforesaid,it s true that I had made unauthorised entry on Govt. land. But this is not out of disrespect for the law of the land, or with a desire to grab some lands out of selfishness.

Lastly I pray to you , Sir, for the sanction of the small plot of 5 gunthas in the aforesid S.no on such terms and conditions as you deem fit in the matter, for which purpose I request you to order the disforest ment of the same immediately. This plot contains no tree growth and grant of this smallplot will not affect very much the natural boundaries of the S.no.

I again request you , Sir to grant me interim permission for my stay on this plot till the final disposal of my present petition and the stay of the eviction order be immediately communicated to the Mamlatder in the interests of kindness and justice to me.

For these acts of kindness I and my family will ever remain grateful to you.

Yours faithfully,

Hosakuli Village, Honavar Taluka.,
dated 9th January 1953.

Visit to Hosakuli in Honavar Tal. may be kept during the tour in below the area y.n.k. meanwhile may be asked to visit this place personally & report to Honavar. 6.3.7

(11)

Respectfully submitted to the Dep. Minister re. this application —

I have personally enquired into the facts of this case and I feel that his need is genuine. His request is also simple. He is prepared to pay the ~~normal~~ occupancy price for this waste forest land, having no tree growth. Grant of this small plot will not affect much the natural boundaries which shd strong enough.

This case is one of the many such cases in the district and hence I request you to see the site of this case in your next tour programme of the district. The site is on Honavar-Kumta Road via Salkod and hence you will be able to inspect the site without loss of time. In these circumstances, I do not desire to add anything more on this application.

Lastly I request you to pass immediate orders for stay of eviction proceedings and communicate the same to the Mamlatdar, Honavar at an early date.

R.Rs. (combined) 1 & the 2 survey no. 175 & 214 A 1A are also enclosed for information.

Yours truly,
R. N. Kamat, M.L.A.,
Honavar (N.K.)
9-1-1954.

The eviction order may be stayed till I visit the site in the next month. The applicant regrets and is prepared to pay the occupancy price. Eviction may be held over expeditiously.

29/1

AGRICULTURE & FORESTS DEPARTMENT
Date 30 JAN 1954
FILE No.
SERIAL No. J 8229

p1 ends

(Below copy of letter, dt. the 9th Jan., 1954, from Shri Sanattamma Ganpa Naik of Hosakali, tal. Honawar, distt. Kanara, and accompt (in original), regarding grant of a small plot of forest land for residential purposes)

p3-7 do —

No. 6229-J.
Agre. and Forests Deptt
Bombay, 2nd Feb., 1954.

U. Urgent.

Forwarded to the D.F.O., W.D. Kanara.

2. The D.M. (A&F) desires to see the site during his tour of the Kanara distt. next month. The D.F.O is, accordingly, requested to make the necy arrangements for the visit of the D.M. to the site. In the meanwhile, the execution of the eviction order should be stayed till the ~~D.M.~~ D.M. visits the site and the D.F.O. shd. submit a report to Govt. in the matter urgently after visiting the site.

personally.

(13)

By order, etc.,

2/2/54

Asstt. Secretary to Govt.

ISSUED

3/2

Copies forwarded to

the C.g.F., S.C., Belgaum.

the CCF.

ISSUED

3/2

CDC

Pl. avr. bill 3/3/54

O.C. Legal

Registry

Pl issue and

& return

2/54

(14)

Copy of letter, dated the 9th January, 1954, from Shri Samuthamma Ganpa Naik, Hosakali, taluka Honawar, district Kanara, and accompaniment (in original), regarding grant of a small plot of forest land for residential purposes.

.....

"I am one of the poorest landless agriculturists, residing at present in the aforesaid village. Once I held on nadgi tenure an acre of coconut garden. But it was on the bank of the Sharawati river in Mavinkurve village of the same taluka. The land was subject to gradual diluvion by the river and the whole was lost to me with my residential house therein. This was about 10 years ago. Thereafter as a last resort, I went to my father-in-law's place in the abovesaid village. By his mediation, I secured on permanent lease about 14½ gunthas of waste land in Survey No.175 of Hosakuli village. This Survey No. measuring 4 acres and 8 gunthas is assessed for a land revenue of 7 annas only. I had agreed to pay a total rent for my aforesaid leasehold right at the rate of 2 annas per guntha. I state these small facts only to bring to your kind notice the poor quantity of land, now on lease to me. It is a low lying region by the side of a hillock and the whole of the rain water in the neighbouring land gets collected in this Survey No. In spite of all these odds, I took the land on permanent lease for want of other lands. After the lease, I built a small hut on this land for my residence. But I was forced to live a miserable life here owing to the unhygenic conditions of the land.

Next to this land is Survey No.214 A1A, with an area of 112 acres. It is a Government waste forest land. But this is on a higher level. Hence it is a bit more comfortable than Survey No.175 for the residence. Out of helplessness, I desired to occupy about 5 gunthas only of this Survey No. just for my residential hut and a court yard. About 7-8 years ago, I applied to the Collector of Kanara for the grant of this small plot after disforestment in the usual manner. Unfortunately for my poor status, the said application perhaps did not see any daylight in the collector's office. About a year after the application, I used and occupied about 5 gunthas area of this Government land out of sheer helplessness.

About 6-7 years ago, I had built a small hut on this land for the purpose of residence of my family and also planted some fruit trees such as cashewnut, jack fruit etc. on the outer side of this small plot. I am tending well these fruit trees all these years.

My next misfortune came when in the middle of 1951 proceedings were instituted against me by the officials of the forest department to evict me from the said land after the demolition of the residential hut. In the said proceedings, I prayed for mercy and requested for a small plot to be granted to me for my residential use. All my prayers were negatived and an eviction order has been made final after my conviction in a criminal proceeding, under the Forest Act for the alleged unauthorised use, to pay a fine of Rs.3/-. Execution of the said eviction order is now pending before the mamlatdar, Honavar and in case mercy is not shown by you, Sir, now I and my family will be homeless wanderers.

Under these compelling circumstances, I approach you with a humble request for mercy and the condonations of the wrongs done by me in the past against my will. As aforesaid, it is true that I had made unauthorised entry on Government land. But this is not out of disrespect for the law of the land, or with a desire to grab some lands out of selfishness.

Lastly I pray to you, Sir, for the sanction of the small plot of 5 gunthas in the aforesaid Survey No. on such terms and conditions as you deem fit in the matter, for which purpose I request you to order the disforestment of the same immediately. This plot contains no tree growth and grant of this small plot will not affect very much the natural boundaries of the Survey No.

I again request you, Sir to grant me interim permission for my stay on this plot till the final disposal of my present petition and the stay of the eviction order be immediately communicated to the Mamlatdar in the interests of kindness and justice to me.

For these acts of kindness I and my family will ever remain grateful to you.

.....

Very Urgent.

No.O/6229-J,
Agriculture and Forests Department.
Bombay Castle,2nd February,1954.

Forwarded to the Divisional Forest Officer,Western Division,Kanara.

2. The Deputy Minister (Agriculture and Forests) desires to see the site during his tour of the Kanara district next month. The Divisional Forest Officer is, accordingly, requested to make necessary arrangements for the visit of the Deputy Minister to the site. In the meanwhile, the execution of the eviction order should be stayed till the Deputy Minister visits the site and the Divisional Forest Officer should submit a report to Government in the matter very urgently after visiting the site personally.

By order and in the name of the Governor of Bombay,

3/2/54

Assistant Secretary to the Government of Bombay,
Agriculture and Forests Department.

Copies forwarded to -

the Conservator of Forests,Southern Circle,Belgaum,

the Chief Conservator of Forests.

NEROY
(3/2/54)

13 (16)

Below Endorsement No.22/385/281 of 4/6-5-54 from the Conservator of Forests, Southern Circle.

....

Subject : Request of Shri Sanatmma Ganapa Naik of Hosakuli for grant of a small plot of forest land for residential purpose out of F.S. No.114/A of Hosakula, Taluka Honavar.

No. 17/D/ 544 of 54-55.
Poona No.1, 15th May 54.

19

AGRICULTURE & FORESTS DEPARTMENT
Date 21 MAY 1954 (23)
FILE No. D
SERIAL No. J 30943

Submitted to Government in the Agriculture & Forests Department, Bombay, with reference to their No. 0/6229-J dated 2-2-54.

P.T.O.

C.M. 81

(J.A.Singh.)
Chief Conservator of Forests,
Bombay State.

Bombay, for information with reference to his No.O/6229-J of 2.2.1954.

(R.R.Chaudhari)
Conservator of Forests, S.C.

Through,

the Chief Conservator of Forests, B.S.,Poona,w/cs.

CKC. 4.5.

No. 241
8.5.54

Letter No.C/11/ 189 of 30-4/1-5-54 from the Divisional Forest Officer, Kanara Western, Karwar to the Conservator of Forests, S.C., Belgaum.

Subject: Request of Shri Sanatamma Ganapa Naik of Hosakuli for grant of a small plot of forest land for residential purpose out of F.S.No. 214/A of Hosakuli Taluka Honavar.

Ref: Your Reminder No.22/385/911 of 19.4.1954.

Since the original correspondence in this respect was pending with the Revenue Department, the Collector of Kanara was requested to take necessary further steps to disforest the area. The Collector of Kanara, has been expedited separately in this connection.

GKC.

(19)

Letter

To

The Collector of Kanara.
KARWAR.

No. O/30943.J. Bombay, 21st July '52.

Herewith please find a copy of P.T.O/C letter, No. C/11/189, dated the 30th April, 1st May 1954, from the Divisional Forest Officer, Kanara Western, Karwar, regarding grant of forest plot at Hosakuli, taluka Honavar to Shri Sanatamma Ganappa Naik, for residential purpose. You are requested to report to Govt. the action taken in the matter.

vide notes on p. 2/N.

By order etc....

Sd/- Nil
Assistant Secy. to Govt.

ISSUED ON

Sd/- 21/7

P.T.O/C

Accompt: Copy of letter.

Letter

To

The Secretary to Government
Agriculture and Forest Department
Bombay.

AGRICULTURE & FORESTS DEPARTMENT
Date 10 MAY
FILE No.
SERIAL No. E 36122

No. S 105/IV-28(pt) Karwar, 4-5-1955

Subject: Shri Sanatamma G. Naik of Hasakuli
Grant of Forest Land at Hosakuli
application from

Reference: Your Expeditor No. D 30943-E dated 20-4-1955

I am still awaiting the papers from the D.F.O. W.D.Kanara, who has been expedited in the matter. I will submit my further report soon after the receipt of the papers from him.

P.A.
for Collector of Kanara

21

Govt Clr. F. D., No. 5484, dated 4-9-19)

EXPRESS LETTER

Gen. 156 e.

[N.B.—This is an ORIGINAL MESSAGE, sent by post to save telegraphic expense and undue use of the wires, but intended to be treated, on receipt, with the same expedition as if it had been telegraphed. To save time and formalities it is worded and signed as if it had been so dispatched.

From

To

The Collector of Kanara.

Karwar.

No. O/30943 - E. Dated 27th - Jan. 1955

P 19/C

Pl.

~~With~~ reference to ~~your~~ Govt. ~~telegram~~ letter No. O/30943-J. dated 21st July 1954 and subsequent ~~Govt~~ reminder dated the 20-12-1954. reg. grant of forest plot at Hosakuli, taluka Honavar to shri. Sanatamma. G. Naik. for resendential purpose.

Letter

To

The Assistant Secretary to Government,
Agriculture & Forests Department,
Bombay.

AGRICULTURE & FOREST DEPT.
Date of Receipt
- 9, AUG 1955
File No. 0
Serial No. F 95 2888

No.S 105/IV/28 Karwar, 5-8-1955.

Subject: Grant of forest land at Hosakuli in Honavar taluka.

Reference: 1. Govt. letter A.& F.D.No.0/30943-J of 21-7-1954.

2. Reminder No.0/36122-E of 25-7-1955.

The remarks of the Divisional Forest Officer, W.D., Kanara, have been called for on the reference under this office endorsement No. S 105/VI of 6-8-1954. I am still awaiting the papers from the Divisional Forest Officer, W.D. Kanara. He has already been expedited.

On receipt of the papers together with the remarks from the Divisional Forest Officer, the action taken in the matter will be reported to Government.

P.A.
for Collector of Kanara.

Letter

To

The Secretary to Government,
Agriculture & Forests Department,
Bombay.

No.S 105/IV/28. Karwar, 22-11-1955.

AGRICULTURE & FOREST DEPT.
Date of Receipt
26 NOV 1955
File No. D
Serial No. E 142642

Subject: Grant of an area of 1-0-0 A. out of F.S. No.214A1A of Hosakuli for cultivation.

Reference: Govt.letter, A.& F.D.No.0/30943-J dated 21-7-1954.

In submitting herewith the disforestment case of the applicant, Shri Sannatamma Gunapa Naik of Hosakuli and two encroachment cases started by the Forest Department, I have to state as under:

2. The applicant, Shri Sannatamma Naik had once encroached upon an area of 0-4-0 G. out of minor F.S.No. 214 by erecting a temporary hut in 1947 and this encroachment was got removed, through the Mamlatdar on 16-1-1954(page 33 of file No.III) as per Divisional Forest Officer's endorsement No.G/11/3925 of 1953-54 dated 4-6-1953(page 15 of file No.III).

3. In 1951, the same person had encroached another plot of 8½ gunthas adjoining to the above said area and had grown ragi crop therein. It is reported by the Divisional Forest Officer that as he did not remove the encroachment, he was prosecuted in the court of law which ended in fine of Rs.3/-. This encroachment, it seems, was not got removed (vide Divisional Forest Officer's report dated 6-10-1955 at page 89 of file No.III).

4. The applicant encroacher had applied in 1951 for grant of the area encroached upon by him by constructing a hut(page 8 of file No.II), but this area could not be granted to him as the Divisional Forest Officer had strongly objected to its grant

P.T.O.

on disforestment for the reasons stated by him in his endorsement No.G/11/3561 of 53-54 dated 29-6-1953 (page 67 of file No.II) and this encroachment was got removed as stated in para 2 above.

5. The Divisional Forest Officer has now recommended for grant of an area of 12½ gunthas(4 gunthas encroached in 1947 and 8½ gunthas encroached in 1951) in favour of the encroacher(vide page 89 of file No.III). He has also recommended an additional area of 27½ gunthas in continuation of the area encroached upon towards the North and South of the encroached area to make a plot of one acre which is the standard area fixed for the taluka under the Bombay Prevention of Fragmentation Act(vide page 93 of file No.III). The encroacher is willing to pay the penal occupancy price of Rs.10/- per guntha(vide his statement at page 79 of file No.III).

6. The grazing area of the village is 675-2-0 A. G. against 1232 heads of cattle (vide page 41 of file No.III).Thus the grazing area of the village is adequate according to the scale fixed in G.R.R.D.No.C.R.S.1053/5627 dated 20th May 1954. If one acre of land is granted, it will not affect the grazing position of the village to any extent and as such the question of objection of the villagers does not stand.

7. Under this circumstances, it is recommended that an area of one acre including the area of 12½ gunthas which is encroached upon out of F.S.No.214 A1A of Hosakuli may be granted in favour of the applicant, Shri Sannatamma Ganpa Naik subject to the following terms and conditions:

1. Tenure shall be new and impartible.

2. The grantee shall pay the penal occupancy price of Rs.62½ @ Rs.5/- per guntha on the encroached area of 12½ gunthas as per para 7 of G.R.,A.& F.D.No.FDM.1054 of 7-3-1955.

3. The grantee shall pay the occupancy price to be fixed by the Prant Officer on the remaining area of 27½ gunthas.

4. The grantee shall pay the usual measurement expenses for the formation of separate S.No. which is to be assessed to Agriculture.

5. The grantee shall pay the value of Revenue trees to be fixed by the Prant Officer.

6. The grantee shall preserve the forest trees, if any, till they are disposed of by the Forest Department.

7. The grantee shall reserve the public rights if any, in the land.

8. The grantee should not leave the land fallow for any two consecutive years except under the circumstances beyond the control of the grantee.

9. The grantee shall not be entitled for strip adjoining this area.

10. The grantee shall execute the kabulayat in form I(1) appended to Land Revenue Rules embodying the above mentioned additional conditions.

11. For breach of any of the above conditions, the grant will be liable for cancellation without any notice to the grantee.

o.c. signed
by Collr.

P.A.
for Collector of Kanara.

22/11

See f 31

By Regd. AD

31 (Below copy of letter No S-1/55/IV-28 dt. 22-11-55 ~~5-8-55~~ from the Collr. of Kanara reg. grant of Forest land at Hosakuli, tal. Honavar)

No FLD 125/55/1426/26
A&FD
~~Bbay Sec~~
Secretariat, Bbay
12th Dec 1955

With case papers (To be returned pl.) — Forwarded to the C.C.F. for remarks.

RSMP
E

ISSUED ON

By order etc.

A.S. to Govt.

33 (28)

Below No.22/385/(53-54)/3528 of 27-1-1956 from the Conservator of Forests, S.C. Belgaum.

.....

Registered. Subject:-Grant of an area of 1 acres out of F.S.No.214 A1A of Hosakuli for cultivation etc. Request of Shri.Sannatamma Ganapat Naik.

No.17/D/SC/273/A/8508 of 1955-56.
Poona.No.1. March, 1956.

AGRICULTURE & FOREST DEPT.
Date of Receipt 11
19 MAR 1956
File No. FLD1255
Serial No. E 32220

Submitted to Government in the Agriculture and Forests Department, Bombay, with reference to their endor-sement No.FLD 1255/142612-E of 12-12-1955.

2. The area proposed to be granted comes under the category of areas mentioned in para 7(d) of the G.R., A. & F.D.No.FDM 1054 of 28-1-1955 according to which blank areas from minor forests which are flat and suitable for cultivation are to be disposed of in accordance with the orders contained in G.R., R.D., No.LND 3953-V-B of 20-8-1954. Further according to the orders contained in para 1 of the G.R., A. & F.D. No.FDM 1054 of 7-3-1955, if the areas encroached upon are available for grant under the provision of G.R., A. & F.D.No.FDM 1054 of 28-1-1955 then the encroachments are to be regularised after recovering penal occupancy price @ Rs.5/- per guntha as per para 7 of the G.R., A.& F.D.No.FDM 1054 of 7-3-1955. In view of this there is no objection to disforest the area of one acre on the conditions suggested by the Collector.

3. The case papers in the matter are returned.

(J.A.Singh)
Chief Conservator of Forests,
State of Bombay.

See 23/N

35 (29)

Below No.C/11/1733 of 7/9.1.1956 from the Divisional Forest Officer, Kanara Western, Karwar.

Subject: Grant of an area of 1 acre out of F.S.No. 214 A1A of Hosakuli for cultivation etc.,- Request of Shri Sannatamma Ganapa Naik.

No.22/385/53-54/3528 of 55-56.
Via Belgaum, 23rd January, 1956.

Submitted (in duplicate) to the Chief Conservator of Forests, B.S., Poona, with reference to his No.17-D/SG/A/5583 dated nil-December, 1955. In the circumstances reported by the Divisional Forest Officer, Kanara W.D., the total area of one acre is recommended for grant after disforestment. The case papers are returned herewith.

(R.R.Chaudhari)
Conservator of Forests, S.C.

app. 21.1.
GKC. 22.1.

37

(30)

Regd Post.
Letter

To

The Conservator of Forests, S.C.

Subject:- Grant of an area of 1 acre out of F.S.No. 214A1A of Hosakuli for cultivation etc.. Request of Shri Sannatamma Ganapa Naik.

No. C/ 4/1733 of 1955-56 Karwar, 7-1-1956

Ref:- Your No. 22/385/53-54/15653 of 3-1-1956

2. This office report No. G/11/8148 of 6/7-10-55 on page 89 of file III is self explanatory. The area proposed for disforestment falls under category III 7 (d) of G.R.A & F.D.No FDM. 1054 of 28-1-55. The area of one acre was recommended in this case in order to avoid fragment. The encroachment in this case can be regularized under clause 1 of G.R.A & F.D. No. FDM. 1054 of 7-3-1955.

3. The case papers are returned herewith.

(G.R.Mavinkurve).
Divisional Forest Officer,
Kanara Western, Karwar.

mvs/7.1.

By Reg AD

Letter

39

To

The Collr. of Kanara.

No FLD 1255/38479 E

B'bay 11th April, 1956.

Ref. your letter No S-105/N-28 dt. 22-11-55 req. grant of forest land at Hosakuli for cultivation.

2 Sanction is accorded to disforestment of land measuring 1 acre (including the area of 12½ gs. which is encroached upon by Shri S.G. Naik) out of F.S. No 214 A1A of Hosakuli, tal. Honavar, and to its permanent grant for cultivation after disforestation, to Shri S.G. Naik subject to the following tenure and conditions.

i) Tenure shall be new and impartible.

ii) The grantee shd. pay penal o.p. of ~~Rs~~ Rs ~~62½~~ 68-8-0. in respect of the encroached area of 12½ gs.

iii) The grantee shd. pay o.p. to be fixed by the P.O. on the remaining area of 27½ gs.

iv) The grantee shd. pay usual measurement expenses for the formation of separate S.No which is to be assessed to agriculture

v) The grantee shall pay the value of Reg. trees to be fixed by the P.O.

vi) The grantee shd. ~~per~~ preserve the forest trees, if any, till they are disposed of by the Forest Deptt.

vii) The grantee shall reserve the public rights, if any, in the land.

viii) The grantee shd. not leave the land fallow for any two consecutive

Ord

... under the circumstances beyond the control of the grantee.

(52)

ix) The grantee shall not be entitled for strip adjoining this area.

x) ~~for~~ The grantee shall execute the Kabuliyat in Form I(1) appended to L.R. Rules embodying the above mentioned addl. conditions.

xi) For breach of any of the above conditions, the grant will be liable for cancellation without any notice to the grantee.

3. Dl. submit to Govt. the requisite notn. for publication in the B.G.G. declassifying the area.

The case Mps are sent herewith.

26/4

Accompn. Case Mps.

Copies to the C.E.F.
the Chf. S.C.
the D.R.O. K.W.D.
the A.S. (Admn) MESC Deptt
the R.D.
the P.D.

26/4

By order etc.
25/4
A.S. to Govt.
18/4/84

RSM 25/4.
E Khan 28/4/84

41

Letter

To

The Secretary to Government,
A. & F. Department, Bombay.

AGRICULTURE & FORESTS DEPT.
Date of Receipt 36
= 9 APR 1956
File No. 0
Serial No. E 40461

S105/IV/28

Karwar, 3-4-1956.

Subject: Grant of an area of 1-00 acre of F.No. 214 A/A, of Hosakuli for cultivation

References: (1) This office letter No. S105/IV/28, of 22-11-55
(2) G.L. A&F D. No. O/30943-J dated 21-3-1956

Early orders of Government may please be obtained.

for Collector of Kanara.
P.A.

(34)

A SFD

The main pps. are not forthcoming inspite of the search made to trace them. Further search is however being made. This may be replied until 20/5/56. Stmp

8/5/56

Submitted.

A SFD

Papers have since been traced. Orders have been issued (vide G.L. No. FD1255/384/96 dt. 2-4-56). May be filed with main pps.

9/5/56

10/5

Submitted

Letter

To

The Secretary to Government,
Agriculture & Forests Department,
Bombay.

AGRICULTURE & FOREST DEPT.
Date of Receipt 10 JUL 1956
File No. FLD 1255
Serial No. E 74828

No.S 105/IV/28 Karwar, 5-7-1956.

Subject: Grant of one acre land out of F.S.No. 214A1A of Hosakuli, taluka Honavar to Shri S.G.Naik ..

Reference: 1. Govt.letter, A.& F.D.No.FLD 1255/38479-E dated 24-4-1956.

2. Govt.reminder No.FLD 1255/38179-E dated 29-6-1956.

The papers have been sent to the Forest Settlement Officer, Kanara for submitting the requisite draft notifications as per Government orders. The Forest Settlement Officer has also been expedited on 9-6-1956 to submit the papers with draft notifications immediately.

Immediately on receipt of the draft notifications from the Forest Settlement Officer, Kanara, I will submit the case to Government through the Conservator of Forests, S.C., Belgaum.

P.A.
for Collector of Kanara.

Receipt of draft notfn. from the Coll. may be awaited till 20/8/56.

(36)

Below No.S/105/IV/28 of 9.8.56 from the Collector of Kanara Karwar.

Subject: Disforestment of an area of 1 acres out of F.S.No.214 A1A of Hoskuli for cultivation.

No.22/385/ 1647 of 1956-57.
Belgaum, 18 August, 1956.

Submitted together with case papers (pages 1 to 133) to the Secretary to Government, Agriculture and Forests Department, Bombay, for favour of further action.

AGRICULTURE & FOREST DEPT.
Date of Receipt 23 AUG 1956
File No. E FLD/258
Serial No. 92159

(Hari Singh)
Conservator of Forests, S.C.

GKC. 16.8.

(127)

Agriculture and Forest Department,
Bombay Castle,
Notification .

Indian Forest Act, XVI of 1927 .

Hosakuli District ,Kanara.

No.

In exercise of the powers conferred by section 27 of the Indian Forest Act,1927 XVI of 1927, the Government of Bombay is pleased to direct that the area specified below, which in Government Notification No. 11710-A of 11-12-1906 ~~dated~~ read with G.N. No 7977 of 2/8/1918 ⊗ was declared to be reserved forest under section 19 of the Indian Forest Act, 1878(VII of 1878) shall cease to be reserved forest from ⊗ S 36/9/116 of 6/2/1923 and S 36/9/4324 of 3/4/1923.

Specification of land to be disforested.

District Kanara, Taluka/ ~~Peta~~ Honawar Village Hosakuli S.No. 214A1A

Area (1-0-0) one acre

Remarks: Formed into a separate S.No/ ~~included in S.No.~~ 214A1A2 viz the area still remaining in the reserved forest being assigned S.No. 214A1A1.

Boundaries.

North - 7-S.No. 214A1A1
East - 7S.No. 214A1A1 & S.No. 175 (Pt)
South - S.No. 175 (Pt) & 7S.No. 214A1A1
West - 7-S.No. 214A1A1

By order of the Governor of Bombay

Secretary to Government.

Forest Settlement Officer,
Kanara.

(129)

Agriculture and Forest Department,
Bombay Castle,
Notification.

Indian Forest Act, XVI of 1927.

Hosakuli District, Kanara.

No.

In exercise of the powers conferred by section 27 of the Indian Forest Act, 1927 XVI of 1927, the Government of Bombay is pleased to direct that the area specified below, which in Government Notification No. 4710-A of 11/12/1906 ~~dated~~ read with G.N. No. 7977 of 2/8/1918 was declared to be reserved forest under section 19 of the Indian Forest Act, 1878 (VII of 1878) shall cease to be reserved forest from S 36/9/116 of 6/2/1923 and S 36/9/4324 of 3/4/1923

Specification of land to be disforested.

District Kanara, Taluka/ ~~Petha~~ Honawar village Hosakuli S.No. 214A1A area (1-0-0) one acre

Remarks: Formed into a separate S.No/ ~~included in S.No.~~ 214A1A2 viz the area still remaining in the reserved forest being assigned S.No. 214A1A1.

Boundaries.

North — 7 S.No. 214A1A1
East — 7 S.No. 214A1A1 & S.No. 175 (Pt)
South — S.No. 175 (Pt) and 7 S.No. 214A1A1
West — 7 S.No. 214A1A1

By order of the Governor of Bombay

Secretary to Government.

Forest Settlement Officer,
Kanara.

Letter.

(133)

To,

The Collector of Kanara.

No. 2/4/316 Karwar 6-8-1956.

Subject :- Disforestment of land, at Hosakuli in Honawar Taluka /~~Petha~~.

I have the honour to forward herewith a draft Notifn. under the I.F.Act, with a view to disforesting a certain forest area in the village of Hosakuli Taluka /~~Petha~~ Honawar and to request you to move Government to have it published in the Bombay Government Gazette.

The details regarding the applicant and the authority for submitting the notification are noted below.

Name of the applicant.	Purpose	S.No.	Chief Conservator of Forests, D.F.O8 consent.	Collector's approval.
Shri S.G. Naik For Culti-vation		214A1A.	Govt. letter No. FSD1255/38479-E dated 24/4/56.	S105/IV/28 of 2/5/56.

COLLECTOR'S OFFICE
Receipt No. 5815
Date of Receipt 7 - AUG 1956

Yours,

Forest Settlement Officer
Kanara.

(58)

No. 5105/IV/28

Karwar, 9-8-56

Fdd to C.F. to the Conservator of Forests S.C. Belgaum with the papers and the requisite draft notifications.

2 Govt. may please be moved to publish the requisite draft-notifications in the B.G.G.

13 AUG 1956

Conservator of Forests
S C Belgaum
Inward No. 10642
Date 13/8/56

Collector of Karwar.
8/8

(41) 53

Notification.

Agriculture and Forests Department,
Sachivalaya, Bombay, 11th ~~August~~ Sept, 1956.

INDIAN FOREST ACT, XVI of 1927

Hosakuli, Distt. Kanara.

No. FLD 1256/92159-E

In exercise of the powers conferred by Section 27 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Bombay is pleased to direct that the area specified below which in Government Notification No. 11710-A dated the 11-12-1906, read with Government Notifications No. 7977, dated 2/8/1918, No. 36/9/1116 d. 6/2/1923 and No. 5-36/9/4324, d. 3/4/1923 was declared to be reserved forest under Section 19 of the Indian Forest Act, 1878 (VII of 1878), shall cease to be reserved forest from the date of the issue of this Notification.

Specification of land to be disforested.

District Kanara, Taluka Haliyal, Village Hosakuli.

Survey No. 214 A/A.

	Acres	~~Gunthas~~	~~Annas~~.
Area:-	1		

Remarks:- Formed into a separate Survey No. viz. 214 A/A2 the area still remaining in the reserved forest being assigned Survey No. 214 A/A1.

Boundaries.

East — F.S. No. 214 A/A and S No 175 (Part)
South — S No. 175 (Part) and F.S. No. 214 A/A1.
West — F.S. No 214 A/A1.
North — F.S. No 214 A/A1.

By order and in the name of the Governor of Bombay,

(P. R. JOGLEKAR).
Assistant Secretary to Government.

To be published in Part I of the Bombay Government Gazette and to be returned with 8 copies of the same.

Assistant Secretary to the Government of Bombay, Agriculture and Forests Department.

A.B. 16/8

3/9/57

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By Registered Post. Letter.
A.D.

To

The Collector of Kanara.

No.FLD 1256 /92159 -E. Bombay, 11th Sept 1956.

Reference your endorsement, No. S.105/IV/28, dated 9/8/56, regarding disforestment of land at Hosakuli, Taluka Honavar.

The requisite notification is being published in the B.G.G.

The case papers are returned herewith.

ISSUED By order and in the name of the Governor of Bombay,

Assistant Secretary to the Government of Bombay,
Agriculture and Forests Department.

Accompaniment: Case papers.

Copies to -

the C. of F., S. Circle, with ref. to his endrst., No. 22/385/1647, dated 18/8/56,

the F.S.O., Kanara.

~~the D.F.O.~~

dba.30.4.56.

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AGRICULTURE AND FORESTS DEPARTMENT.

Sachivalaya, Bombay, 11th September 1956.

INDIAN FOREST ACT, XVI OF 1927.

Hosakuli, district Kanara.

No. FLD. 1256/92159-E.—In exercise of the powers conferred by section 27 of the Indian Forest Act, 1827 (XVI of 1927), the Government of Bombay is pleased to direct that the area specified below which in Government Notification No. 11710-A, dated the 11th December 1906, *read* with Government Notifications No. 7977, dated the 2nd August 1918, No. 36/9/116, dated the 6th February 1923 and S. 36/9/4324, dated the 3rd April 1923, was declared to be reserved forest under section 19 of the Indian Forest Act, 1878 (VII of 1878), shall cease to be reserved forest from the date of the issue of this Notification.

Specification of land to be disforested.

District Kanara; taluka Honavar; village Hosakuli; survey No. 214 A 1 A; area, 1 acre. *Remarks.*—Formed into separate Survey No., viz., 214-A1A2, the area still remaining in the reserved forest being assigned Survey No. 214A1A1; Boundaries.—*East*—F. S. No. 214A1A and S. No. 175 (Part); *South*—S. No. 175 (Part) and F. S. No. 214A1A1; *West*—F. S. No. 214A1A1; *North*—F. S. No. 214A1A1.

By order and in the name of
the Governor of Bombay,

P. R. JOGLEKAR,
Assistant Secretary to Government.